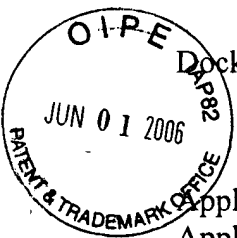


06-05-06

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Docket No.: 066821-0058

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Reed, John C., et al.  
Appl. No. : 10/748,128  
Filed : December 24, 2003  
Title : METHODS AND COMPOSITIONS  
FOR DEREPRESSION OF IAP-  
INHIBITED CASPASE

Customer No.: 41552  
Confirmation No.: 1734

CERTIFICATE OF MAILING BY EXPRESS MAIL(37  
CFR § 1.10)

"Express Mail" Mailing Label Number EV 643844924 US  
I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR § 1.10 on the date indicated  
above and is addressed to Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450 on Jun 1, 2006.

*Lorraine Smith*  
Lorraine Smith

Grp./A.U. : 1654  
Examiner: : Audet, Maury A.

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☒ Also enclosed: Communication Under 37 C.F.R. § 1.28(c)(2).
- ☒ Authorization to Charge to Deposit Account No. 502624 the amount of \$7,377.00.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

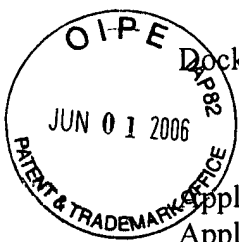
McDERMOTT WILL & EMERY LLP

*Deborah L. Cadena*

Deborah L. Cadena  
Registration No. 44,048

4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122  
Phone: 858.535.9001 DLC:llf  
Facsimile: 858.597.1585  
**Date: June 1, 2006**

**Please recognize our Customer No. 41552  
as our correspondence address.**



Docket No.: 066821-0058

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Reed, John C., et al.  
Appl. No. : 10/748,128  
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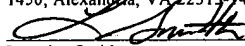
Grp./A.U. : 1654  
Examiner: : Audet, Maury A.

Customer No.: 41552  
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**CERTIFICATE OF MAILING BY EXPRESS MAIL(37  
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above and is addressed to Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450 on **Jun 1, 2006**.

  
Lorraine Smith

**COMMUNICATION UNDER 37 C.F.R. § 1.28(c)(2)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

06/06/2006	SLUANG1	00000005	502624	10748128
01	FC:1001	790.00	DA	
02	FC:1201	2400.00	DA	
03	FC:1202	3250.00	DA	
04	FC:1203	360.00	DA	
05	FC:1051	130.00	DA	
06	FC:1255	2160.00	DA	

Sir:

Applicants previously established small entity status for the above-identified application in good faith, but later discovered that such status was established in error. Pursuant to 37 C.F.R. § 1.28(c)(2), Applicants submit payment of any deficiency between the amount of each fee paid as a small entity and the amount that is now due as a large entity. Pursuant to the requirements of 37 C.F.R. § 1.28(c)(2)(i) and (ii), attached as Appendix A is the calculation of the deficiency owed and itemization of the deficiency payment.

The Commissioner is authorized to charge Deposit Account No. 502624 in the amount \$7,377.00, the amount of the fee deficiency as calculated on the attached Appendix. The Commissioner is hereby authorized to charge payment of any other fee deficiency associated with this communication or credit any overpayment to Deposit Account No. 502624; a duplicate copy of this communication is enclosed for this purpose. Accordingly, Applicants request a notice acknowledging that any error arising from fee deficiencies is excused in this application.

The Examiner is invited to call the undersigned agent if there are any questions.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Deborah L. Cadena

Registration No. 44,048

4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122  
Phone: 858.535.9001 DLC:llf  
Facsimile: 858.597.1585  
**Date: June 1, 2006**

**Please recognize our Customer No. 41552  
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APPENDIX A

Date fees paid	Type of fee	Fee paid	Current Large Fee	Fee Due as Large Entity
December 24, 2003	Basic filing fee	\$395.00	\$790.00	\$395.00
December 24, 2003	Excess claims fee (81 total, 15 independent)	\$1263.00	\$5450.00	\$4187.00
	Multiple dependent claim	\$0.00	\$360.00	\$360.00
December 24, 2003	Five month extension of time	\$1040.00	\$2160.00	\$1120.00
December 24, 2003	Surcharge	\$65.00	\$130.00	\$65.00
	Utility application size fee – additional sheets in excess of 100 = 205 (5x50)	Not applicable	\$1250.00	\$1250.00
Total deficiency payment owed				\$7377.00

Adjustment date: 06/06/2006 SLUANG1  
 10/27/2004 HDEMESS1 00000001 502624 10748128  
 01 FC:2001 395.00 CR ✓  
 02 FC:2051 65.00 CR ✓  
 03 FC:2201 528.00 CR ✓  
 04 FC:2203 150.00 CR ✓  
 05 FC:2202 585.00 CR ✓

Adjustment date: 06/06/2006 SLUANG1  
 10/27/2004 HDEMESS1 00000001 502624 10748128  
 06 FC:2255 1040.00 CR